

REMARKS

This is intended as a full and complete response to the Office Action dated April 2, 2004, having a shortened statutory period for response set to expire on July 2, 2004. Please reconsider the claims pending in the application for reasons discussed below.

The disclosure stands objected to based on an informality. Per the Examiner's suggestion, the word "arraigned" in paragraph [0024] has been replaced with the word "arranged.". Paragraphs [0005], [0006], [0023], [0026], [0027], [0029], [0031], [0033], [0035], [0036], [0038], and [0041] have also been amended to correct minor editorial problems. Applicants submit that no new matter has been added. As the basis for this objection has been obviated, Applicants respectfully request it be withdrawn.

The drawings stand objected to for failing to comply with 37 C.F.R. § 1.84(p)(4) for inclusion in Figure 2 of a reference number (292) designating two distinct elements. Figure 2 has been amended to designate one of the elements with reference number 242, as suggested by the Examiner. Applicants submit that no new matter has been added. As the basis for this objection has been obviated, Applicants respectfully request it be withdrawn.

Claims 1-17 remain pending in the application and are shown above. Claims 1-8 and 12-17 stand rejected, but claims 1-8 and 13-14 are indicated as being allowable if rewritten to overcome the rejections under 35 U.S.C. § 112, second paragraph. Claims 9-11 are indicated as allowable by the Examiner. Reconsideration of the rejected claims is requested for reasons presented below.

Claims 4, 6, 9, and 15-16 are amended to correct matters of form. Claims 1, 7-8, 10, and 17 are amended to clarify the invention. These amendments are not presented to distinguish a reference, thus, the claims as amended are entitled to a full range of equivalents if not previously amended to distinguish a reference. Claim 12 has also been amended.

Claims 1-8 and 12-17 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Specifically, the Examiner states that it is not clear whether the lip projects upward or downward.

Applicants respectfully traverse the rejection. With respect to claims 1-8, Applicants have amended claim 1 to more clearly recite that the first surface of the lower shield faces the support member body. This rewording clarifies that the lip projects in the direction of support member body. With respect to claims 12-17, Applicants have amended claim 12 to more clearly recite that the first surface of the lower shield faces the end of the cylindrical portion of the annular upper shield. This rewording clarifies that the lip projects in the direction of the terminating end of the annular upper shield. Additionally with respect to claim 12, the claim language comprising "the substrate support member," asserted by the Examiner to lack antecedent basis, has been deleted. As the bases for the Examiner's rejections have been obviated, withdrawal of the rejections is respectfully requested.

Claims 12 and 15 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Takana*, U.S. Patent No. 6,296,747 in view of *Hong, et al.*, U.S. Patent No. 5,897,752. Specifically, the Examiner asserts that *Takana* teaches an apparatus comprising a pedestal, a conductive annular shield, and a lower cover from which a lip projects in a similar spatial relationship to Applicants' invention. Additionally regarding claim 12, the Examiner asserts that *Hong, et al.* teach an electrically conductive lower cover (ring). Based on these assertions the Examiner deems Applicants' claim 12 obvious.

Applicants respectfully traverse these rejections. While Applicants do not agree that the cited references contain each claim element recited in Applicants' claim 12 or concede that a proper suggestion or motivation exists to combine the cited references, Applicants' amended claim 12 recites limitations clearly not disclosed in *Takana* or *Hong, et al.* Applicants' amended claim 12 recites a spatial relationship between the shields wherein the annular upper shield and the conductive lower shield are disposed in a spaced-apart relation wherein the annular upper shield does not intersect a plane defined by the first surface of the conductive lower shield. *Takana* teaches an annular upper shield 26 that extends from a point on one side of the plane defined by the first surface of lower cover 20 (e.g., point of contact with chamber wall 12) to a point on the opposite side of the plane defined by the first surface of lower cover 20 (e.g., bottom

portion 32). (Figure 1) By definition a solid object containing portions on either side of a plane is intersecting thereto.

With respect to the Examiner's rejection of claim 15, as independent claim 12 is not obvious in view of the cited references, as discussed above, then claim 15 depending therefrom is similarly nonobvious. As the cited references, alone or in combination, do not teach, show or suggest each claim limitation of Applicants' invention, the Examiner is respectfully requested to withdraw these rejections.

Claims 16 and 17 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Takana*, in view of *Hong, et al.*, as applied to claim 12, and further in view of *Al-Sharif, et al.*, U.S. Patent No. 6,077,353. The Examiner asserts that *Takana*, and *Hong, et al.* teach each of Applicants' claim limitations except for the mounting ring, the mounting surface, and the aluminum composition/coating. Specifically the Examiner asserts that *Sharif, et al.* teach the mounting ring and the mounting surface, and that the general skill in the art renders the use of aluminum obvious.

Applicants respectfully traverse these rejections. While Applicants do not agree that the additional cited reference contains each claim element asserted by the Examiner, concede that a proper suggestion or motivation exists to combine the cited references, or accept the assertion that the level of skill in the art would make the claim limitation regarding aluminum obvious, as discussed above, the previously cited references do not teach, show, or suggest the limitations of amended claim 12. Furthermore, *Sharif, et al.* do not teach, show, or suggest the limitations of amended claim 12 previously discussed. Therefore, the cited references, alone or in combination, do not teach, show, or suggest the limitations as recited in claim 12, and claims dependent therefrom. Withdrawal of these rejections is respectfully requested.

Claims 1-8 and 13-14 are indicated by the Examiner as being allowable if rewritten to overcome the rejection(s) under 35 U.S.C. § 112, second paragraph discussed above. As previously detailed, the bases for these rejections has been obviated. Therefore, Applicants respectfully request allowance of these claims.

In conclusion, the references cited by the Examiner, alone or in combination, do not teach, show, or suggest the invention as claimed.

Having addressed all issues set out in the office action, Applicants respectfully submit that the claims are in condition for allowance and respectfully request that the claims be allowed.

Respectfully submitted,



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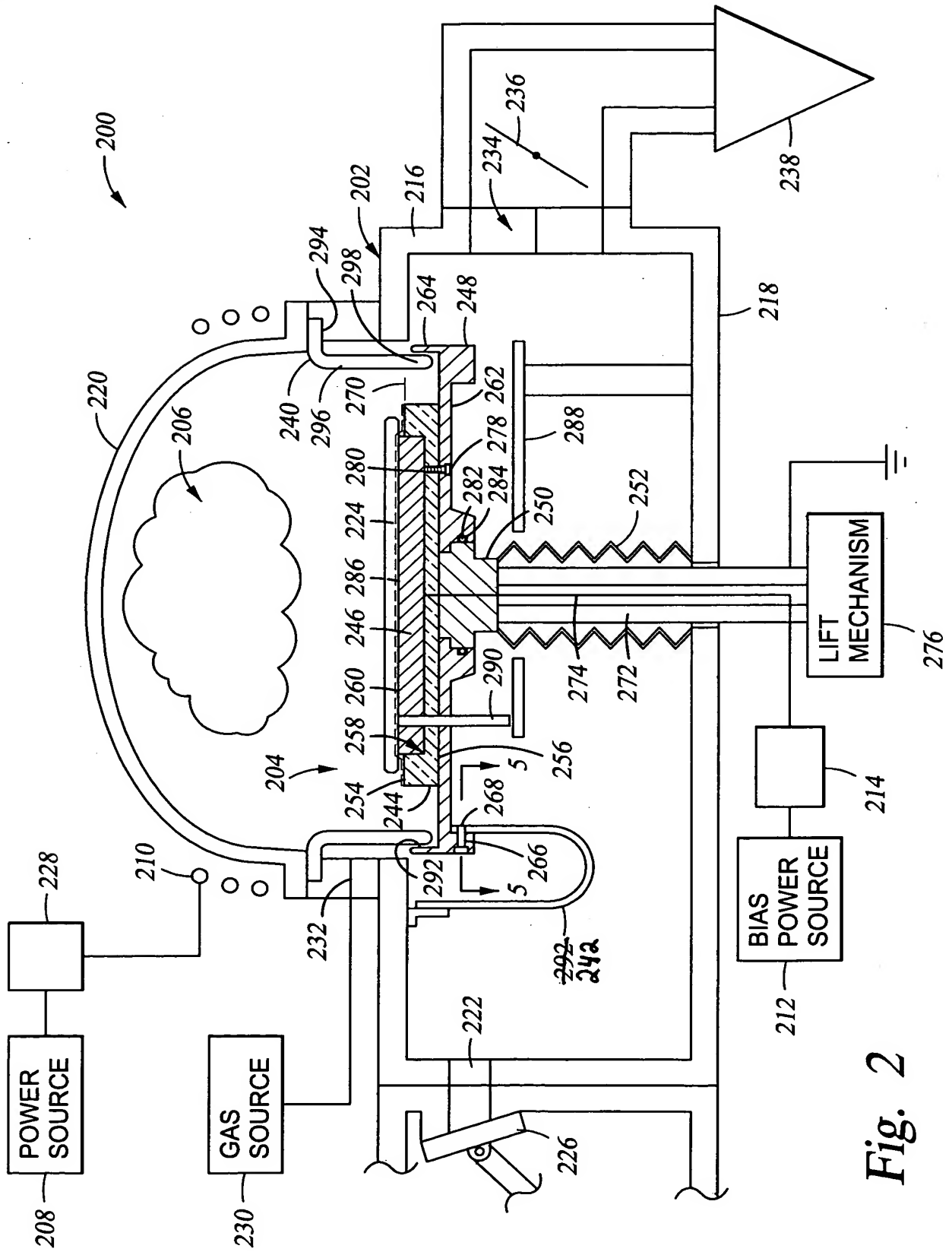


Fig. 2